

E-FILED - 1/29/09

STIPULATION TO RESCHEDULE CMC 08-CV-5076 RMW

1 WHEREAS, plaintiff Actuate Corporation ("Actuate") brought the above-captioned
2 action against defendant Federal Home Loan Mortgage Corporation ("Freddie Mac") on
3 November 6, 2008;

4 WHEREAS, the Court set the Case Management Conference in this matter for February
5 13, 2009;

6 WHEREAS, counsel for both parties respectfully request that the Court reschedule the
7 Case Management Conference in order to accommodate plaintiff's counsel's scheduling conflict
8 with the originally set date;

9 IT IS THEREFORE STIPULATED AND AGREED BY THE PARTIES, AND THE
10 COURT HEREBY ORDERS, that the Case Management Conference in this matter is hereby
11 rescheduled for March 13, 2009 at 10 a.m. and all deadlines in the case are moved accordingly.

12
13 **THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK**
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 Respectfully submitted and so stipulated,

2 Dated: January 23, 2009

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

3
4 By: 
5 Brian Mendonca

6 One Market Street
7 Spear Tower, Suite 3300
8 San Francisco, CA 94105
9 Telephone: (415) 947-2000
10 Facsimile: (415) 947-2099

Attorneys for Plaintiff
ACTUATE CORPORATION

11 Dated: January 23, 2009

MORRISON & FOERSTER, LLP

12 By: 
13 Michael A. Jacobs

14 425 Market Street
15 San Francisco, CA 94105
16 Telephone: (415) 268-7000
17 Facsimile: (415) 268-7522
18 E-mail: MJacobs@mofo.com

Attorneys for Defendant
FEDERAL HOME LOAN MORTGAGE
CORPORATION

19 IT IS SO ORDERED.

20
21 Dated: 1/29/09

22 By: 
23 Hon. Ronald M. Whyte
24
25
26
27
28

JAMES A. DiBOISE, State Bar No. 83296
jdiboise@wsgr.com
BRIAN G. MENDONCA, State Bar No. 209728
bmendonca@wsgr.com
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
One Market, Spear Tower, Suite 3300
San Francisco, CA 94105
Telephone: (415) 947-2000
Facsimile: (415) 947-2099

Attorneys for Plaintiff
ACTUATE CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ACTUATE CORPORATION, a Delaware
corporation,

Plaintiff,

v.

FEDERAL HOME LOAN MORTGAGE
CORPORATION, a federally-chartered
corporation,

Defendant.

CASE NO.: CV 08 5076

CERTIFICATE OF SERVICE

JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I, Shirley R. Frazier, declare:

I am employed in San Francisco County, State of California. I am over the age of 18 years and not a party to the within action. My business address is Wilson Sonsini Goodrich & Rosati, One Market, Spear Tower, Suite 3300, San Francisco, California 94105.

On this date, I served:

1. **STIPULATION AND [PROPOSED] ORDER TO RESCHEDULE CASE MANAGEMENT CONFERENCE**

☒ By placing the document(s) in a sealed envelope for collection and mailing with the United States Postal Service on this date to the following person(s):

Michael Jacobs, Esq.
Morrison & Foerster, LLP
425 Market Street
San Francisco, CA 94105-2482

☐ By consigning the document(s) to an express mail service for guaranteed next day delivery to the following person(s):

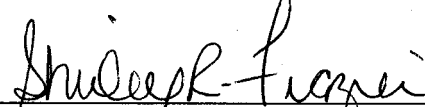
☐ By consigning the document(s) to a messenger for guaranteed hand delivery on this date to the following person(s):

☐ By consigning the document(s) to a facsimile operator for transmittal on this date to the following person(s):

☐ By forwarding the document(s) by electronic transmission on this date, in compliance with Civil L.R. 23-2, to the Designated Internet Site(s) listed below:

I am readily familiar with Wilson Sonsini Goodrich & Rosati's practice for collection and processing of documents for delivery according to instructions indicated above. In the ordinary course of business, documents would be handled accordingly.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California on January 23, 2009.


Shirley R. Frazier